

**ENTERED**

February 19, 2024

Nathan Ochsner, Clerk

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

LARRY WARD

VS

BENTHIC USA LLC, *et al*

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§

CIVIL ACTION NO. H: 22-2974

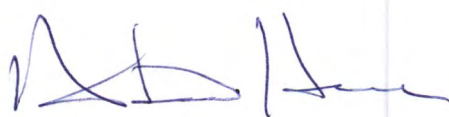
**ORDER ADOPTING MEMORANDUM AND RECOMMENDATION**

Pending before the Court in the above referenced proceeding is Plaintiff's Motion to Remand on Abstention (Doc. No. 51); Defendants' Response (Doc. No. 523); and Judge Sheldon's Memorandum and Recommendation (Doc. No. 53) that the Court deny the Motion to Remand Based on Abstention. Neither party filed objections to the Memorandum and Recommendation and the time for doing so has passed.

Upon review, the Court agrees with the Magistrate Judge's conclusion that this case does not present one of "the rare instances" calling for abstention. Accordingly, it is hereby

**ORDERED** that the Memorandum and Recommendation (Doc. No. 53) is **ADOPTED** and Plaintiff's Motion to Remand on Abstention (Doc. No. 51) is **DENIED**.

SIGNED this 17<sup>th</sup> day of February 2024.



ANDREW S. HANEN  
UNITED STATES DISTRICT JUDGE